

12  
SPEECH

OF

HON. H. A. HARALSON, OF GEORGIA,

ON

THE TERRITORIAL QUESTION.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, SATURDAY, AUGUST 10, 1850.

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WASHINGTON:

PRINTED AT THE CONGRESSIONAL GLOBE OFFICE.

1850.

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## THE TERRITORIAL QUESTION.

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The House being in Committee of the Whole on the state of the Union, and having under consideration the Civil and Diplomatic Appropriation Bill—

Mr. HARALSON addressed the committee as follows:

Mr. CHAIRMAN: So long as there was any reasonable prospect of an adjustment of the questions in controversy between the North and the South, I was satisfied to remain silent upon this floor, content rather to hear the opinions of other gentlemen than to express my own. I had hoped that some proposition might be submitted by the Senate in which, if I could not cordially concur, I might at least feel disposed to acquiesce. But the recent action of that body, known to this House and to the country, has well-nigh deprived me of all hope that any settlement of these questions, to which I can give my assent, will be made. I would not be understood here as giving my assent to the settlement upon the original propositions reported by the Committee of Thirteen appointed in the Senate; but rather desire it should be understood that I dissented from almost all the propositions submitted by that committee. I hoped that the bill, in its progress, might assume such a shape as that I could give it my support. This hope, as I have said, has well-nigh passed away; and I desire now to address to the committee some observations in relation to these various questions respecting the admission of California as a State into the Union, the territorial questions, and also the question of boundary between the United States and Texas, which, I trust, may fall upon the ear of the House, and make some impression.

It is not necessary that I should indulge in any excited debate on this floor. The people whom I have the honor to represent here are already sufficiently excited. I do not propose on this occasion to endeavor, by anything I may say, to increase that excitement beyond the point which it has already attained. I would rather address myself to the sense of justice of the committee and of the nation, in order that, if possible, they may yet do justice, in the adjustment of these questions, to that section of country from which I come.

Mr. Chairman, the constitutional view of the subject has been so frequently brought to the consideration of the committee, that it seems almost

superfluous in me to make any remarks upon it; yet that I may not appear to have neglected that branch of the question altogether, I desire to say a few words in relation to it.

The people whom I represent have been wont to look to the Constitution as the palladium of their liberty—the great source of their political blessings. They rightly appreciate it—because it secures their rights and provides for their safety against foreign and domestic foes—against those who would oppress them from abroad or at home; because even the minority, when danger threatens their rights, may point to its provisions and demand of the majority, too often arrogant in its strength, “thus far mayest thou go, but no further.” This is one of those beautiful features in the Constitution of this Union which distinguishes it from the tyrannies of the Old World, and which, with its other attributes, its strength, its justice, its equality and general benefits, which it was intended to secure and confer, endear it to our whole people, make it justly the theme of praise by philanthropists everywhere, and the wonder of all civilized nations.

In a country like ours, covering so great an area, including such varieties of soil and climate, it was but reasonable to expect much difference of opinion and feeling among the people, as well as of habits, interests, and institutions. The North chose to lend her energies more particularly to commerce and to manufactures; the South to agriculture mainly. Happily, in the formation of the Government, the peculiar interests of all sections were respected and protected so far as powers were granted; and where no power was given, the local interests of each State was left to be controlled by itself. Such powers only were intrusted to the General Government as were necessary to it as the agent of the States, to be exercised for the mutual benefit of all, and the protection of all. The authority under which it acts was derived from the States. No State yielded the power to regulate her own domestic concerns, or to prescribe for her the direction of her industry, or what should or should not constitute property. On the contrary it is certain the Constitution rightfully claims no power over it, or duty in respect to it, save that of protection, which is one of its essential elements. That species of property now con-



stituting the bone of contention between the North and the South, not only existed at the time the Constitution was formed in most of the States, but was made as much the subject of the care and protection by the Government as any other. Indeed no other property seems to have been so carefully guarded. It is not only recognized in terms, but especial provision is made for its restoration when escaping from those to whom its labor is due. Taxation, when resorted to directly for the purposes of the Government and representation in Congress, are regulated with especial reference to that species of property. In at least three separate and distinct clauses of the Constitution it is made the subject of its provisions, and is noted and respected. That these provisions were the subjects of some difficulty in forming our Constitution, will not be denied, and that that instrument would never have been formed without them will be readily admitted by all the least acquainted with the history of our Government and the true condition of our country respecting that property, at the time. It is enough for our present argument to know, that so the supreme law was written for the North and for the South—for the whole country—a bond of agreement solemnly entered into between the States, as they severally ratified the Constitution, which has not been altered in any of its provisions touching the subject to this day. Some of its provisions were intended to establish equality among the States in representation and taxation; some especially to do justice to the slaveholding States, and others as reasonable concessions to those States, in turn for others received by the other States. Of this latter class might be named the provision that the African slave trade should not be abolished for twenty years—done in view of the wants of some of the southern or plantation States. The statesman looks in vain in the Constitution for any authority in Congress to legislate in respect to slavery, except to provide for the surrender of persons bound to service who shall escape into other States. He will find much to sustain that institution, and a positive prohibition against the General Government doing anything calculated to destroy it. “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.” That equality among the States was intended carefully to be preserved, is proved not only by the reference in the Constitution to the subjects of representation and taxation, based on this property, but exhibits itself also strikingly in the other end of this Capitol. Rhode Island is as heavy in political weight, and as mighty in political power, as Virginia, or Kentucky; and Florida with but one Representative on this floor, in the Senate, measures arms with Pennsylvania or New York. Every new sister State, as she is received into the family, becomes at once an equal with the other members. This equality was not only intended to be preserved, but is essential to our system of government. Partners in a general concern, the risks, dangers, the burdens, the expense, and may I not add, the profits of which are equally to be borne and shared by each according to the articles of agreement. It is not designed now to enlarge on this view of the subject. It may be said, properly, in this connection, that the very idea of inequality is degrading to a State or people; and that

no people can prosper, upon whom rests the degradation of inferiority in political rights, to others under the same Government.

The General Government of the United States, in the exercise of some of those powers granted and necessary to it as the agent of the States, has made several acquisitions of territory, large portions of which, under that same spirit of mutual concession which brought the Government into existence, has been organized into States and admitted into the Union. Those north of the Ohio river and of the parallel of  $36^{\circ} 30'$  have been admitted with a restriction against slavery. In this the South, although she felt it a violation of her constitutional rights, acquiesced. In those south, the people have been left free to determine for themselves whether slavery should or should not exist. The substance of all this, sir, was, that the Constitution was declared inoperative on this subject north of  $36^{\circ} 30'$ , but in full force south of it. This cannot be considered properly in any other light than a great concession by the South to the North. The apology for it, according to the debates of that day, was that of overruling necessity. Massachusetts could not expect to have it all her way—to suit her taste and feelings. Virginia could not have it her way—to suit her taste and feelings. Louisiana, although a slaveholding Territory, was considered the common property of the people of the States. With these conflicting views between the North and the South, the question was compromised upon a division of it at  $36^{\circ} 30'$  north latitude. But not to detain the committee on this topic, as considerable as it is in the history of our legislation on the subject, the South generally acquiescing in the disposition of the vexed question, her statesmen have not been disposed to disturb it, and its principles have been observed by them in good faith for more than thirty years, and until the North, encouraged by the success of the prohibitive clause in their legislation then upon undisputed slave territory, or forgetting that it was to them a concession by the slaveholding States, gave undoubted proof that she would no longer be bound by it.

The first indication of the indisposition of the North to adhere to the principles of the Missouri compromise was given in the vote on the proposition submitted by you, Mr. Chairman, [Mr. BURT was in the chair,] in 1847, declaring the reasons why slavery was excluded from the Territory of Oregon—that it was north of  $36^{\circ} 30'$ . It was at that time that we had proof positive, that, unless some great change in public sentiment should take place, we could no longer expect that the North would feel bound to abide by the principle of that compromise, although it had been faithfully observed by the South to that time both by speeches and votes.

Mr. CLAY himself, is said to have used this language:

“By the compromise which took place on the passage of the act for the admission of Missouri into the Union, in the year 1820, it was agreed and understood that the line of  $36^{\circ} 30'$  of north latitude, should mark the boundary between the free States and slave States to be created in the territories of the United States ceded by the treaty of Louisiana—those situated south of it being slave States, and those north of it free States.”

He further went on to say:

“Florida is south of that line, and consequently, according to the spirit and understanding which prevailed at the period



alluded to, *should be a slave State*. It may be true that the compromise does not in terms embrace Florida, and that it is not absolutely binding and obligatory; but all candid and impartial men must agree, that it ought not to be disregarded without the most weighty considerations, and that nothing could be more to be deprecated than to open anew the bleeding wounds which were happily bound up and healed by that compromise."

It was also carried into effect at the time of the admission of Texas. In the year 1847, I say, we had the first positive declaration on the part of the North that they would not abide by that principle, on a motion made by you, Mr. Chairman, in the House of Representatives.

This, sir, was the condition of this question when, by the treaty of Guadalupe Hidalgo, California and New Mexico were acquired—the common property of the States of this Union; none having contributed more than the southern States either in blood or treasure for their acquisition—held in trust by the General Government as their agent for the benefit of all the States and for their use. Maine, in behalf of her people, claims equal rights there with Louisiana, and demands that her citizens shall go to that territory, taking with them their ships and their lumber, and it is conceded to her. Massachusetts demands that her citizens shall go to that territory, taking with them their ships and their manufactures, and the right is admitted to her. New York and Pennsylvania claim for their citizens that they shall go taking with them their merchandise of every description and every species of their property, and the right is recognized. The other northern States all claim for their citizens respectively the right to go into that territory and take with them every species of their property, and it is not denied. No southern Representative here has questioned their right, or the duty of the Government to protect them there, both in their persons and their property. Georgia and the other States holding slaves as property, equal in rights with the other States of this Union, claim for their citizens the right to emigrate into that Territory with their property—property acknowledged such in the Constitution, and which this Government is bound to protect, else it fails in the most essential objects of its creation, and it is reserved for them only to be denied. They are to be told that they are unworthy. You tell them, virtually, that they are not the equals of the other States of this Union, and that their people are inferior in political rights to the citizens of other States. If this is the course of policy which you intend to pursue, tell it no longer that yours is a Government of equality, or that one of the great objects of its establishment is still respected; but tell it rather that equality and justice are disregarded, and that your boasted Union, formed among other noble purposes, to "establish justice," has been converted into an engine of oppression and inequality. But, sir, I must not, I will not believe this foul injustice will be done my people, until the deed is perpetrated.

We are told, however, that Nature, in her order of the soil and climate of this territory, has effectually excluded slavery by denying to it profitable employment. This is intended, we suppose, to alleviate the load of your injustice. Take the statement to be true, how useless were it then for you to insult us with your unmeaning decrees of prohibition. But whether the employment of slave labor can

be made profitable there or not, is a question which it is but just should be determined by ourselves. If your statement be true you have nothing to fear from the introduction of slavery. If profitless, it would go out as fast as it went in, or more probably it would not go at all. If you are sincere in this position, nothing but the most wanton determination to insult, and outrage, and exasperate the South, could induce you to persist in forcing any prohibition on the introduction of slavery there. What a picture is here drawn by those who profess so well to love this Union as to be its peculiar guardians! All the South demands is even-handed justice, and this you ought to be willing to award to her at once, and quiet the agitations of the public mind, and restore quiet and happiness upon our beloved country. You may heap injustice and tyranny upon a people till the constant sense of that injustice will chill the warmest blood of the most patriotic heart. Justice is an attribute of the Deity. To do justly emanated from Heaven, as an injunction to man. It ennobles the soul of man and binds him closer to his Maker. In performing this high duty to our fellows, we rise above the ordinary standard of politicians, and become patriotic statesmen, upon whom the benedictions of our countrymen and the blessing of God must ultimately rest.

By some it is contended, that by the Mexican laws which they say are in force there, slavery is prohibited, and this may be said to be one of the reasons why the Wilmot proviso, so called, is in less favor just at this time, than it was at the commencement of the session. This is one of the reasons why the President's plan, as it is called, for settling this matter, grew in so much favor with our northern friends. Now if, indeed, (contrary to my opinion,) any Mexican law does not give way to the Constitution of the United States, and should be believed by any to remain an obstacle to the enjoyment of the just rights of the South in that Territory, it were but just that it be removed. If we are to have a race, clear the track. Then, if indeed the Territory was unsuited to slave labor and its productions, the South would have no reason to complain, or resist your injustice in regard to that Territory. Let it not be urged that the doctrine of non-intervention applies and prevents justice being done to the South. The situation in which we find ourselves and the country in relation to these Territories, is different from that which there existed two years ago. At that time the Clayton compromise was under consideration; the whole field was then open; the whole territory which we had acquired, was then the subject-matter of consideration, and the provisions of the compromise were intended to apply to all. Is that the case now? It is not so; nor indeed has the principle of non-intervention been applied; but, on the contrary, there has been such an intervention as ought to bring down upon those who have acted a part in it, the highest and most emphatic disapprobation of the American people. The doctrine of non-intervention, especially as it was held in the South, would have guarantied to us all our rights in relation to these Territories—that is to say, the right of going into them and settling there with our property; but after the compromise of Mr. Clayton had failed, and a new Administration had come into power, they virtually said to the balance of the world, "Stand aside—you must not



interfere; you must take no action;" and, at the same time, they themselves misapplied and perverted the doctrine of non-intervention, and interfered for purposes of their own, though with what particular object I do not undertake to say. It has been alleged that it was for the purpose of dodging the Wilmot proviso. The result is to exclude the South from the entire territory of California, as her limits have been prescribed. The President of the United States not only perverted this doctrine to his own purposes, but assumed, through his agents and instruments, to settle the whole question. No wonder, Mr. Chairman, that the Free-Soilers should have adopted as their policy the President's plan, instead of that which they formerly promulgated. It secured the attainment of their objects infinitely better, and with much greater certainty, for it brought to their aid the influence of the Executive, and as effectually excluded the South from the Territory, as the Wilmot proviso itself could have done. Even the letter of instructions to my former colleague, Thomas Butler King—(who, to the astonishment of the whole American people, was sent out as a political missionary to the people of California)—is couched in the most extraordinary language: "You know, sir, what are the views of the President on this subject." Mr. Chairman, I will not charge upon the late Executive a design to exclude slavery from this Territory; but I do charge that this was an act upon his part unauthorized by the Constitution, because to the Congress of the United States alone belongs the sole and exclusive disposition of the common territory; and it was but due to the American people, and to all interests concerned, that he should have withheld the strong arm of the Executive Government from any interference with the question, even to the extent of the *intimation* of a desire, upon its part, that the people of California should form either one kind of government or another.

But, Mr. Chairman, the conduct on the part of the agent who was sent to California, deserves my notice. I feel that the South has reason to complain of the conduct of the late Administration in that respect. That agent was intrusted with authority to recommend to the people to form a State constitution, and apply for admission as a State into the Union; and it will be recollected, that when the convention was about to assemble, or was in session and about to form a constitution and declare their limits as a State, he did not fail to recommend to a member of that convention that they should take the whole Territory, and leave us nothing to quarrel about. I can give my endorsement to no such conduct; and if the people whom I represent choose to endorse it, it must be their own act, and not mine. Let California, New Mexico and Utah remain in the condition in which they were when the Clayton compromise was under consideration in this House, (and their condition is not changed by any action of this House as yet;) bring forward the Clayton compromise; and I will pledge myself to its support, as applicable to the whole Territory. I would support it to-day. But circumstances have changed since that compromise was originally brought forward—as every man who looks into the history of the matter well knows. It is very easy for gentlemen from the North, who hold this doctrine of non-intervention, as it is

now promulgated, after having appropriated to themselves one third of the whole Territory, to advocate it in regard to the balance. But the doctrine, even then, is to be received under circumstances very different from those which existed at the time of the passage of that bill through the Senate—very different indeed. It has been very surprising to me that when, by the report and bills of the Committee of Thirteen in the Senate, one third of the Territory was given up to free soil—that is, by the admission of California with the boundaries she has prescribed for herself, when territorial governments were to be framed for New Mexico and Utah upon the principle of non-intervention,—I say it is surprising to me, that when they came back to the Rio Grande they had not, in consideration of the great benefits of this vast Territory secured to the North, been willing to quit the pretended claim of the United States to all the Territory east of the Rio Grande. That would have been manifesting something like the spirit of compromise. That would have been properly respecting the claim which Texas has always maintained from a period as early as 1836—that would have been consistent with the position which our own Government took when she went to war in defence of the boundary claimed by Texas.

While I am upon this branch of the subject, Mr. Chairman, I wish to notice a position which is often taken, viz: that a part of Texas—that part lying on the Upper Rio Grande—was never reduced to possession by Texas, and consequently that it, now properly constitutes a part of New Mexico. I ask gentlemen who take this position, what greater reason have you to concede the Lower Rio Grande to be the boundary of Texas? Texas was no more in possession of the lower territory than she was of the upper territory. Why, the war commenced on the Lower Rio Grande. It was the possession of the lower territory, between the Rio Grande and the Nueces, which, after the annexation of Texas, led to war. We took Texas as she was, with her boundaries fully proclaimed to the world.

I have procured a copy of the map which was attached to the treaty of Guadalupe Hidalgo, and which may properly be considered a part of the treaty itself. I desire gentlemen to examine it, if they please, and tell me what portion of the territory of New Mexico, according to this map, is east of the Rio Grande. Not one foot. Here is a copy of the map, (Mr. H. here exhibited the map.) The plat (to use a lawyer's term) which accompanies the deed shows not one solitary inch of New Mexico to be east of the Rio Grande. It would have been just, sir, and nothing more than was just to that State, when this committee came east of the Rio Grande, to say to Texas, although we have something like a color of title growing out of the negotiations, yet as we have already secured for the North one third of the whole territory acquired from Mexico, and especially as the very plat accompanying the deed sustains your claim, we will concede it and confirm to you all the territory east of the Rio Grande.

It has been said that the habits, views, and feelings of the Mexicans on this side the Rio Grande are so utterly opposed to those of the Texans, as to render it impossible for them to live together as citizens of the same State. He would suppose that



gentlemen would be willing to take the declaration of the recent President as of some little authority, and acknowledge that the inhabitants of that strip of land would be in perhaps as good a condition under Texan rule as they would be under the military laws established there by the authority of the President of the United States. Speaking of the military law established there, President Taylor said in his California message—

“It is undoubtedly true that the property, lives, liberties, and religion of the people of New Mexico are better protected than they ever were before the treaty of cession.”

President Fillmore, in his recent message to Congress, while he disclaims authority or intention to settle the question of boundary, takes positions which amount to a settlement of it against Texas. I will read the ninth article of the treaty.

The ninth article of the treaty is in these words:

“The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and in the mean time shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion, without restriction.”

Upon which article the President goes on to say:

“It is plain, therefore, on the face of these treaty stipulations, that all Mexicans established in territories north or east of the line of demarkation already mentioned, come within the protection of the ninth article; and that the treaty, being a part of the supreme law of the land, does extend over all such Mexicans, and assures to them perfect security in the free enjoyment of their liberty and property, as well as in the free exercise of their religion; and this supreme law of the land being thus in actual force over this territory, is to be maintained until it shall be displaced or superseded by other legal provisions; and if it be obstructed or resisted by combinations too powerful to be suppressed by the civil authority, the case is one which comes within the provisions of law, and which obliges the President to enforce these provisions. Neither the Constitution or the laws, nor my duty or my oath of office, leave me any alternative, or any choice, in my mode of action.

“The Executive Government of the United States has no power or authority to determine what was the true line of boundary between Mexico and the United States before the treaty of Guadalupe Hidalgo, nor has it any such power now, since the question has become a question between the State of Texas and the United States. So far as this boundary is doubtful, that doubt can only be removed by some act of Congress, to which the assent of the State of Texas may be necessary, or by some appropriate mode of legal adjudication; but in the mean time if disturbances or collisions arise or should be threatened, it is absolutely incumbent on the Executive Government, however painful the duty, to take care that the laws be faithfully maintained; and he can regard only the actual state of things as it existed at the date of the treaty, and is bound to protect all inhabitants who were then established, and who now remain north and east of the line of demarkation, in the full enjoyment of their liberty and property, according to the provisions of the 9th article of the treaty; in other words, all must be now regarded as New Mexico, which was possessed and occupied as New Mexico by citizens of Mexico at the date of the treaty, until a definite line of boundary shall be established by competent authority. This assertion of duty to protect the people of New Mexico from threatened violence or from seizure to be carried into Texas for trial for alleged offences against Texan laws, does not at all include any claim of power on the part of the Executive to establish any civil or military government within that Territory. That power belongs exclusively to the legislative department, and Congress is the sole judge of the time and manner of creating or authorizing any such governments.

“The duty of the Executive extends only to the execution of laws and the maintenance of treaties actually in force, and the protection of all the people of the United States in the enjoyment of their rights, which those treaties and laws guaranty.”

As if the same protection to their lives, liberty,

and the enjoyment of their religion, were not afforded under the laws of Texas as would be afforded by the military government established by the President over New Mexico! or by any territorial government which Congress might substitute for it! And there was no reason for the threatening attitude which the President has seen fit to assume in this communication. The intimation that it may become necessary for him to use the military arm of the Government to sustain the possession of the United States to this Territory, if Texas determines to extend her jurisdiction over it, will be found to have been easier written than executed.

Mr. Chairman, I do not know what position Texas may assume in regard to her own boundary. I declared in a speech delivered in this House, upon the subject of the Texan boundary and the Mexican war, that the title of Texas was complete at that period to the Rio Grande. She certainly has lost nothing by the action of this Government since that time. This Government, when acting as agent to settle the question in dispute between Texas and Mexico, could not assume to make any negotiation excluding the rights of the party for whom she was acting to her own benefit—but she was bound to exercise her trust for the benefit of Texas. The Government obtained the line for which she went to war, the Rio Grande and beyond it; and to me the claim of Texas to that line is indisputable in reason or in justice—though gentlemen sometimes undertake to throw doubts upon it in this House.

I perceive, Mr. Chairman, that I shall not have time to allude to the other propositions contained in the report of the Committee of Thirteen, in regard to the surrender of fugitive slaves and to the abolition of the slave trade in the District of Columbia. I may address the House, if I have opportunity, when these questions come before it. I am anxious, perhaps as anxious as any member of this House, that all these unfortunate questions of difference between the North and the South should be amicably settled. I still entertain a glimmering hope that a returning sense of justice on the part of our brethren of the North will accord to us our rights, and will induce the House to do something like justice upon all these questions. If this shall be refused, I know not what course my own State may be compelled to take. It has been made the duty of the Governor of that State, if California should be admitted into the Union as a State with her present pretended boundaries, under all the circumstances of fraud and of irregularity which attended its formation, to call a convention of the people of that State.

It is not, by any means, my purpose to urge the people to the adoption of any particular line of conduct; but notwithstanding the denunciations with which I may be assailed, here or elsewhere, I shall speak my sentiments freely. I will stand to your Union so long as it gives me and mine justice. When it ceases to do that—when it fails to protect my property and my rights—then, from the necessity of the case, the question forces itself upon my mind, whether grievances of this nature shall be endured or not. Whenever a Government fails to do justice—whenever she fails to protect those whom she is bound to protect, it is certain that the attachment of the people thus oppressed must be weakened and ulti-



mately destroyed. Is it not desirable that the fraternal feeling which has existed among us so many years—cemented as it has been by the blood of our fathers—should be preserved, and that we should still move on in our career of national greatness, as a band of sister States, resisting oppression, promoting the general happiness, and doing justice to each other? Do justice to us of the South. It is all we ask. We have demanded only meagre justice. I repeat that I cannot say what course the people of my own State may think it their duty to pursue. But to the land which gave me birth—to the land which has bestowed upon me all the honors which it has ever been my lot to receive—to her I owe my allegiance; to her I owe my first and last duty; and with her, in weal or in woe, whatever her fate may be, I shall be found. It is madness to drive the southern States to the alternative which you present—because even if the result should be that they acquiesce in your legislation, it is not in the nature of the human heart to love those as to whom we have an abiding impression on our minds that they have done us injustice. Therefore it is that I appeal to you that you make an equitable arrangement of existing difficulties, whilst it is not yet too late. I desire always to feel that I am not only a citizen of this Republic—proud of her greatness, and glorying in her strength and prosperity—but that I am a citizen of a Republic which abides by the Constitution; accords equality as one of the great principles upon which her institutions are founded, and which is ready at all times, even in a spirit of magnanimity, to do justice to the humblest citizen—much more to the people—of one great section of the Confederacy.

A word or two more, Mr. Chairman. Those gentlemen with whom I have privately exchanged views on these questions, know that I have always desired an honorable adjustment of them. To accomplish this object, I have been willing to concede much. I desire that peaceful relations should exist between all parts of the Confederacy. Even now I am prepared to make concessions. In this view of the case, I have held myself ready at all times to do whatever might appear to me to be right that I should do. In the other branch of the Capitol, a proposition was made even to limit the southern boundary of Utah to  $36^{\circ} 30'$ , and there was but one reason given against it, viz: that it was the line of  $36^{\circ} 30'$ . Well, if gentlemen are so opposed to this precise line, I would be inclined to take  $37^{\circ}$ , running directly west, on the same parallel with that named in the bill of the Senate, as the southern boundary of Utah. I do not commit myself to any particular proposition, but I have been hoping that this question might be ultimately settled in such manner as that the people of the whole country would acquiesce in it.

If Texas, a sovereign State of this Republic,

possessing sovereignty to the fullest extent, except so far as, with the other States, she may have delegated powers to the General Government—if Texas, when you shall have made your proposition to her, shall determine to accept that proposition, even though it divests her of some of her territory which she now claims, it will be the act of a sovereign State, and I will acquiesce. But until she thus consents to part with a portion of her own territory, as the Representative of a portion of the people of Georgia, I have the right to object to her being dismembered, and to insist that the boundaries which she has so long claimed—the boundaries in defence of which we went to war—the boundaries recognized and confirmed to her by the treaty of Guadalupe Hidalgo and the accompanying map, shall forever be guarantied to her. And if she does not accept the proposition, and the arms of the General Government should be brought to bear against a sovereign State, to despoil her of her territory and her citizens of their rights, I have no hesitation in saying that the cause of Texas will be made a common cause in the South, and that the effort will be to preserve her limits upon the entire Rio Grande, from its mouth to its source. Those limits, as I have before said, not only recognized by treaty, claimed by her, and maintained by this Government in war, but won upon the battle-field of San Jacinto by the blood of her citizens, and acknowledged by Santa Anna, the highest executive of Mexico, in retiring beyond the Rio Grande after that memorable battle.

I regret, Mr. Chairman, deeply regret, that the Chief Magistrate of our nation should have ever seen proper to menace, with the power and with the arms of the General Government, a sovereign State. Our Republic, if its Constitution is preserved and carried out in its original spirit, is a glorious Republic—the just commendation not only of those who enjoy its blessings, but of all the nations of the earth. I desire to see it maintained and preserved in its original purity and value. I desire the citizens of our great family of States to feel as a band of brothers; and whether we tread the soil of New York or the soil of Texas or of Georgia, to feel an equal pride and satisfaction in the fact that we are American citizens; and when a citizen of New York or Georgia, a citizen from the North or the South, shall plant his foot upon the soil which has been acquired as the common property of the United States, he shall feel assured that the stars and stripes of our common country, which wave over him, will afford him their sure protection—not only to his person, but to all that which by the Constitution of the United States is recognized as his property. It is an unequal Government in its operation, if it does not give that feeling to every American heart, wherever it may be on American soil.